

**REMARKS**

By this Amendment, claim 18 is canceled and claims 1, 9, 17 and 19 are amended. Claims 2-8, 10-16 and 20 remain as originally filed. As a result, claims 1-17, 19 and 20 are currently pending in the application. Independent claims 1, 9 and 17 are amended to include patentable limitations over the cited references. Dependent claim 19 is amended to provide proper dependency.

**Claim Rejections – 35 U.S.C. §103**

Pursuant to the above-referenced Office Action, claims 1-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,314,102 (Czerwiec et al.) in view of U.S. Patent 4,800,588 (Poster, Jr.). With regard to independent claim 1, the Examiner asserts that Czerwiec et al. discloses the invention substantially as claimed with the exception of a cover movably attached to the base and adapted to be opened and closed thereon, but that Poster, Jr. teaches a network interface unit with a hinged cover that forms a weatherproof seal to prevent corrosion to the devices inside. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to sealingly cover the network interface shelf of Czerwiec et al. with the weatherproof cover of Poster, Jr. for the purpose of preventing corrosion to the devices inside. See Office Action at pages 2-3.

Applicants respectfully traverse the rejection. Independent claim 1 has been amended to include the further limitations that the base is adapted to be operatively coupled *with termination equipment located within the interior of a telecommunications enclosure through an exterior wall of the telecommunications enclosure* and that the xDSL/POTS splitter is positioned within the interior cavity defined by the base *to permit access to the xDSL/POTS splitter without entering the telecommunications enclosure*. Neither Czerwiec et al. nor Poster, Jr., alone or in combination, disclose or suggest an xDSL/POTS splitter that is located within a housing and operatively coupled to termination equipment through an exterior wall of a telecommunications enclosure so that the xDSL/POTS splitter can be accessed without entering the

telecommunications enclosure. Thus, claim 1 is patentable. Claims 2-8 depend directly or indirectly from patentable base claim 1, and thus, are likewise allowable for at least the same reasons.

Similarly, independent claim 9 has been amended to include the further limitations that the xDSL/POTS splitter is operatively coupled *with termination equipment located within the interior of a telecommunications enclosure and the housing is attached to an exterior wall of a telecommunications enclosure to permit access to the xDSL/POTS splitter without entering the telecommunications enclosure*. Neither Czerwiec et al. nor Poster, Jr., alone or in combination, disclose or suggest an xDSL/POTS splitter that is located within a housing and operatively coupled to termination equipment through an exterior wall of a telecommunications enclosure so that the xDSL/POTS splitter can be accessed without entering the telecommunications enclosure. Thus, claim 9 is patentable. Claims 10-16 depend directly or indirectly from patentable base claim 9, and thus, are likewise allowable for at least the same reasons.

Similarly, independent claim 17 has been amended to include the further limitations that the xDSL/POTS splitter is provided *within a housing attached to an exterior wall of a telecommunications enclosure and is operatively coupled with termination equipment located within the interior of the telecommunications enclosure*. Furthermore, the first telephone line comprising a POTS signal and the second telephone line comprising a data signal are routed *from the interior of the telecommunications enclosure* to the xDSL/POTS splitter. Neither Czerwiec et al. nor Poster, Jr., alone or in combination, disclose or suggest an xDSL/POTS splitter that is located within a housing attached to an exterior wall of a telecommunications enclosure and operatively coupled to termination equipment through an exterior wall of the telecommunications enclosure with a POTS signal line and a data signal line routed from the interior of the telecommunications enclosure to the xDSL/POTS splitter. Thus, claim 17 is patentable. Claim 18 is canceled. Claims 19 and 20 depend directly or indirectly from patentable base claim 17, and thus, are likewise allowable for at least the same reasons.

Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claims 1-20 under 35 U.S.C. §103(a).

### CONCLUSION

In view of the foregoing amendments and these remarks, Applicants respectfully request the Examiner to withdraw the rejections to the claims and to reconsider the application. This Amendment is fully responsive to the Office Action and places the application in condition for immediate allowance. Accordingly, Applicants respectfully request the Examiner to issue a Notice of Allowability for the pending claims. Applicants encourage the Examiner to contact the undersigned directly to further the prosecution of any remaining issues, and thereby expedite allowance of the application.

This Amendment does not result in more independent or total claims than paid for previously. Accordingly, **no fee for excess claims is believed to be due.** The Examiner is hereby authorized to charge any other fee due in connection with the filing of this response, including any excess claims fee, to Deposit Account No. 19-2167. If a fee is required for an extension of time under 37 C.F.R. §1.136 not already accounted for, such an extension is requested and the fee should likewise be charged to Deposit Account No. 19-2167. Any overpayment should be credited to Deposit Account No. 19-2167.

Respectfully submitted,



Christopher C. Dremann  
Attorney for Applicants  
Registration No. 36,504  
P. O. Box 489  
Hickory, N. C. 28603  
Telephone: 828/901-5904  
Facsimile: 828/901-5206

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